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## History and Background of the Debate Over Rajneeshpuram

City Club of Portland (Portland, Or.)

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## HISTORY &amp; BACKGROUND OF THE DEBATE OVER RAJNEESHPURAM

The Muddy River Ranch, composed of 65,000 acres near Antelope, Oregon, was purchased in 1980 by the Rajneesh Foundation International. The current controversy began in July, 1981 when the Rajneeshees sought building permits for farm worker residences although the ranch had been classified for exclusive farm use. On November 4, 1981, Wasco County approved the residents' request to incorporate approximately 2000 acres of the ranch, which represented the first time a new city in Oregon had been established away from an existing urban growth boundary.

Adjacent Wasco County landowners, fearing more extensive development, combined forces with 1000 Friends of Oregon to challenge the incorporation of Rajneeshpuram. Initial litigation before the Land Conservation and Development Commission (LCDC), the Land Use Board of Appeals (LUBA), and the courts dealt with whether incorporation was a land use decision, and whether Oregon land use laws applied. In March, 1983, the Oregon Circuit Court of Appeals ruled that incorporation was subject to land use laws but in June, 1983, the Oregon Supreme Court declined to review that decision. In September, 1983, the case returned to LCDC-LUBA for interpretation of Oregon's land use laws regarding incorporation. At issue were the questions of whether incorporation automatically allows urban development and whether incorporation requires Rajneesh followers to follow the exceptions process.

In September, 1983, LCDC ruled that the incorporation violated Oregon's land use laws. The decision was appealed to the Oregon Court of Appeals by Rajneeshpuram, which on March 21, 1984, reversed the LCDC-LUBA decision, holding that incorporation was not in violation of Oregon's land use laws.

Because pending litigation prevented development of local services, the Rajneeshees moved to seek control of Antelope, Oregon. To stop this move, Antelope residents sought to disincorporate but this attempt was delayed by court action and later failed at the polls. Rajneesh followers later were elected to city government and school board positions in Antelope. 1000 Friends of Oregon then filed another lawsuit to prevent annexation and further development by the Rajneeshees.

A suit filed on November 10, 1983 by Attorney General David Frohnmayer sought to prevent Rajneeshpuram from operating as a legally-incorporated Oregon city. Frohnmayer's opinion stated that Rajneeshpuram was incorporated illegally. The unavoidable interrelationship of the religious and non-religious corporations that own and control all real property in and around the city violated provisions of both the U.S. and the Oregon Constitutions requiring separation of church and state. The Rajneeshees, on the other hand, believe that their government (the City of Rajneeshpuram) and their religious organization (the Rajneesh Foundation International) are entities capable of existing and functioning separately.

The Rajneeshees were successful in transferring the case from Wasco County Circuit Court into federal court, but the federal court has since remanded the case back to the lower courts. The Attorney General's office has again filed suit in Wasco County Circuit Court. If upheld in the courts, the Attorney General's suits will prevent Rajneeshpuram from collecting state revenue-sharing funds and basic school support.

Because of the complexity of the land use case pending before the Oregon Supreme Court, it is unlikely that a final decision will be made in less than a year and appeal to the U.S. Supreme Court is likely. Most observers believe several years will pass before these constitutional and religious questions are resolved.

Pete Behr, Chairman  
Standing Committee on Land Use

## ATTENTION!!!

### ADVANCE TICKET SALES REQUIRED FOR DAN RATHER, MAY 18

Tickets must be purchased in advance for the May 18 breakfast meeting with *Dan Rather*, Anchor of The CBS Evening News. The Club's normal reservation system will NOT be in effect! All reservations will be handled through the World Affairs Council, co-sponsors of this meeting. For information, call 229-3049.

We expect a very large crowd, and advance payment will allow us to seat the audience, serve breakfast, and hear Mr. Rather between 7:15 and 9:00 am. The meeting will be held in the Portland Hilton Ballroom. Doors will open at 7:00 am.

Please make your reservations NOW, by completing the form below. Mail it, with your payment, to: Dan Rather Meeting, World Affairs Council, 1912 S.W. Sixth Avenue #252, Portland, Or 97201. Deadline for reservations and cancellations is Wednesday, May 16!

Friday, May 18, 1984  
7:15-9:00 am  
Portland Hilton Ballroom

DAN RATHER: "The Media's Role in  
the 1984 Presidential Election"

Name of Member making reservation: \_\_\_\_\_

Number of Tickets

Members \_\_\_\_\_ X \$7.50 \$ \_\_\_\_\_

Guests \_\_\_\_\_ X \$8.50 \$ \_\_\_\_\_

Total enclosed: \$ \_\_\_\_\_

(Make checks payable to World Affairs Council of Oregon)